



## 95TH GENERAL ASSEMBLY

### State of Illinois

2007 and 2008

HB0421

Introduced 1/26/2007, by Rep. David R. Leitch

#### SYNOPSIS AS INTRODUCED:

325 ILCS 5/7  
325 ILCS 5/7.3

from Ch. 23, par. 2057  
from Ch. 23, par. 2057.3

Amends the Abused and Neglected Child Reporting Act. Provides that reports of suspected child abuse or neglect made to the central register through the State-wide, toll-free telephone number shall be immediately transmitted to the appropriate local law enforcement agency. Provides that all oral reports made by the Department of Children and Family Services to local law enforcement personnel and the office of the State's Attorney of the involved county shall be confirmed in writing within 24 (instead of 48) hours of the oral report. Provides that the Department shall adopt rules expressly allowing law enforcement personnel to investigate reports of suspected child abuse or neglect concurrently with the Department, without regard to whether the Department determines a report to be "indicated" or "unfounded" or deems a report to be "undetermined". Effective immediately.

LRB095 04461 DRJ 27317 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning children.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Abused and Neglected Child Reporting Act is  
5 amended by changing Sections 7 and 7.3 as follows:

6 (325 ILCS 5/7) (from Ch. 23, par. 2057)

7 Sec. 7. Time and manner of making reports. All reports of  
8 suspected child abuse or neglect made under this Act shall be  
9 made immediately by telephone to the central register  
10 established under Section 7.7 on the single, State-wide,  
11 toll-free telephone number established in Section 7.6, or in  
12 person or by telephone through the nearest Department office.  
13 The Department shall, in cooperation with school officials,  
14 distribute appropriate materials in school buildings listing  
15 the toll-free telephone number established in Section 7.6,  
16 including methods of making a report under this Act. The  
17 Department may, in cooperation with appropriate members of the  
18 clergy, distribute appropriate materials in churches,  
19 synagogues, temples, mosques, or other religious buildings  
20 listing the toll-free telephone number established in Section  
21 7.6, including methods of making a report under this Act.

22 Wherever the Statewide number is posted, there shall also  
23 be posted the following notice:

1 "Any person who knowingly transmits a false report to the  
2 Department commits the offense of disorderly conduct under  
3 subsection (a) (7) of Section 26-1 of the Criminal Code of 1961.  
4 A first violation of this subsection is a Class A misdemeanor,  
5 punishable by a term of imprisonment for up to one year, or by  
6 a fine not to exceed \$1,000, or by both such term and fine. A  
7 second or subsequent violation is a Class 4 felony."

8 The report required by this Act shall include, if known,  
9 the name and address of the child and his parents or other  
10 persons having his custody; the child's age; the nature of the  
11 child's condition including any evidence of previous injuries  
12 or disabilities; and any other information that the person  
13 filing the report believes might be helpful in establishing the  
14 cause of such abuse or neglect and the identity of the person  
15 believed to have caused such abuse or neglect. Reports made to  
16 the central register through the State-wide, toll-free  
17 telephone number shall be immediately transmitted to the  
18 appropriate Child Protective Service Unit and to the  
19 appropriate local law enforcement agency. The Department shall  
20 within 24 hours orally notify local law enforcement personnel  
21 and the office of the State's Attorney of the involved county  
22 of the receipt of any report alleging the death of a child,  
23 serious injury to a child including, but not limited to, brain  
24 damage, skull fractures, subdural hematomas, and, internal  
25 injuries, torture of a child, malnutrition of a child, and  
26 sexual abuse to a child, including, but not limited to, sexual

1 intercourse, sexual exploitation, sexual molestation, and  
2 sexually transmitted disease in a child age twelve and under.  
3 All oral reports made by the Department to local law  
4 enforcement personnel and the office of the State's Attorney of  
5 the involved county shall be confirmed in writing within 24 ~~48~~  
6 hours of the oral report. All reports by persons mandated to  
7 report under this Act shall be confirmed in writing to the  
8 appropriate Child Protective Service Unit, which may be on  
9 forms supplied by the Department, within 48 hours of any  
10 initial report.

11 Written confirmation reports from persons not required to  
12 report by this Act may be made to the appropriate Child  
13 Protective Service Unit. Written reports from persons required  
14 by this Act to report shall be admissible in evidence in any  
15 judicial proceeding relating to child abuse or neglect. Reports  
16 involving known or suspected child abuse or neglect in public  
17 or private residential agencies or institutions shall be made  
18 and received in the same manner as all other reports made under  
19 this Act.

20 (Source: P.A. 92-801, eff. 8-16-02.)

21 (325 ILCS 5/7.3) (from Ch. 23, par. 2057.3)

22 Sec. 7.3.

23 (a) The Department shall be the sole agency responsible for  
24 receiving and investigating reports of child abuse or neglect  
25 made under this Act, except where investigations by other

1 agencies may be required with respect to reports alleging the  
2 death of a child, serious injury to a child or sexual abuse to  
3 a child made pursuant to Sections 4.1 or 7 of this Act, and  
4 except that the Department may delegate the performance of the  
5 investigation to the Department of State Police, a law  
6 enforcement agency and to those private social service agencies  
7 which have been designated for this purpose by the Department  
8 prior to July 1, 1980.

9 (b) Notwithstanding any other provision of this Act, the  
10 Department shall adopt rules expressly allowing law  
11 enforcement personnel to investigate reports of suspected  
12 child abuse or neglect concurrently with the Department,  
13 without regard to whether the Department determines a report to  
14 be "indicated" or "unfounded" or deems a report to be  
15 "undetermined".

16 (Source: P.A. 85-1440.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.